

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA
and STATE OF MICHIGAN,

Plaintiffs,

ex rel. DAVID FELTEN, M.D., Ph.D.,

Plaintiff/Relator,

v.

WILLIAM BEAUMONT HOSPITALS,
et al.

Defendants.

Case No. 10-cv-13440
Hon. Stephen J. Murphy, III

Consolidated Administratively with:
U.S. ex rel. Karen Carbone v.
William Beaumont Hospital
Case No. 11-cv-12117

U.S. ex rel. Cathryn Pawlusiak v.
Beaumont Health System, et al.
Case No. 11-cv-12515

U.S. ex rel. Karen Houghton v.
William Beaumont Hospital
Case No. 11-cv-14312

STIPULATED ORDER OF PARTIAL DISMISSAL

The United States and the State of Michigan have intervened in part in the consolidated actions herein for the purpose of effectuating a settlement agreement (“the Settlement Agreement”) between the United States, the State of Michigan, Defendant William Beaumont Hospital (“WBH”), and Relators in each of the consolidated cases, i.e., David Felten, M.D., Karen Barbara Carbone, M.D., Cathryn Pawlusiak, and Karen Houghton (“Relators”); the United States, the State

of Michigan and Relators have filed a Joint Stipulation for Dismissal pursuant to Fed. R. Civ. P. 41(a), wherein, among other things, they agree that the settlement is fair, adequate, and reasonable under all the circumstances; Plaintiffs and Relators have stipulated to the entry of this Order, and the Court is otherwise fully advised,

NOW THEREFORE IT IS HEREBY ORDERED that:

1. The claims in each of the consolidated actions herein, which were asserted by Relators on behalf of themselves, the United States and the State of Michigan, and which are based on the Covered Conduct as defined in Recital Paragraph D of the Settlement Agreement, are dismissed with prejudice;
2. Subject to Paragraph 3 below, the remaining claims asserted by Relators in each of the consolidated cases herein are dismissed with prejudice to Relators, and without prejudice to the United States and the State of Michigan;
3. This Order reserves any claims on the part of the Relators (a) under 31 U.S.C. § 3730(d) and M.C.L. § 400.610a to a share of the proceeds of this Settlement Agreement and to Relators' reasonable expenses, attorneys' fees and costs, and (b) pursuant to 31 U.S.C. § 3730(h) and M.C.L. 400.610c, and shall not be construed as dismissing such claims; and
4. Subject to such reservations in Paragraph 3 above, all parties shall bear their own fees, costs, and expenses, except as specified in the Settlement Agreement or otherwise ordered by the Court under 31 U.S.C. § 3730(d) and

M.C.L. § 400.610a.

Dated: August 7, 2018

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Approved:

CHAD A. READLER
Acting Assistant Attorney General

s/Laurie A. Oberembt (with consent)
MICHAEL D. GRANSTON
TRACY L. HILMER
LAURIE A. OBEREMBT
U.S. Department of Justice
Attorneys, Civil Division
P.O. Box 261
Ben Franklin Station
Washington, D.C. 20044

Dated: August 3, 2018

MATTHEW SCHNEIDER
United States Attorney

s/Peter A. Caplan
PETER A. CAPLAN (P30643)
Assistant U.S. Attorney
211 W. Fort Street, Suite 2001
Detroit, Michigan 48226
(313) 226-9784
Email: peter.caplan@usdoj.gov

Dated: August 3, 2018

BILL SCHUETTE
Michigan Attorney General

s/Jason R. Evans (with consent)
JASON R. EVANS (P61567)
First Assistant Attorney General
Health Care Fraud Division
Michigan Department of Attorney General
P.O. Box 30218
Lansing, MI 48909
Email: evansj@michigan.gov

Dated: August 3, 2018

s/Julie K. Bracker (with consent)
Julie K. Bracker
Georgia Bar No. 073803
Admitted to E.D. Michigan
Jason S. Marcus
Georgia Bar No. 949698
Admitted to E.D. Michigan
For Relator David Felten

BRACKER & MARCUS, LLC
3225 Shallowford Rd.
Suite 1120
Marietta, Georgia 30062
Phone: (404) 983-3454
Email: Julie@fcacounsel.com
Email: Jason@fcacounsel.com

Dated: August 3, 2018

s/Jeffrey M. Thomson (with consent)
Jeffrey M. Thomson (P72202)
For Relator Karen Carbone

MORGANROTH AND MORGANROTH
344 N. Old Woodward Ave., Suite 200
Birmingham, Michigan 48009
Phone: (248) 355-3084
Email: JThomson@morganrothlaw.com

Dated: August 3, 2018

s/J. Marc Vezina (with consent)
J. Marc Vezina (P76232)
Monica P. Navarro (P52985)
For Relator Cathryn Pawlusiak

VEZINA LAW, PLC
280 N. Old Woodward Ave.
Suite LL20
Birmingham, Michigan 48009
Phone: (248)558-2700
Email: jmv@vezinalaw.com
Email: mnavarro@vezinalaw.com

Dated: August 3, 2018

s/David M Blanchard (with consent)

David M. Blanchard

For Relator Karen Houghton

BLANCHARD & WALKER, PLLC

221 North Main Street

Suite 300

Ann Arbor, Michigan 48104

Phone: (734)929-4313

Email: blanchard@bwlawonline.com

Dated: